

1-1 By: Munoz, Jr. (Senate Sponsor - Hinojosa) H.B. No. 2094
1-2 (In the Senate - Received from the House May 6, 2013;
1-3 May 8, 2013, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 14, 2013, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 14, 2013, sent to
1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Hinojosa	X		
1-10	Nichols	X		
1-11	Garcia	X		
1-12	Paxton	X		
1-13	Taylor	X		

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to the regulation of roadside vendors and solicitors in
1-17 certain counties.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Section 285.001, Transportation Code, is amended
1-20 to read as follows:

1-21 Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR.

1-22 (a) To promote the public safety, the commissioners court of a
1-23 county with a population of more than 1.3 million by order may
1-24 regulate the following in the unincorporated area of the county if
1-25 they occur on a public highway or road, in the right-of-way of a
1-26 public highway or road, or in a parking lot:

1-27 (1) the sale of items by a vendor of food or
1-28 merchandise, including live animals;

1-29 (2) the erection, maintenance, or placement of a
1-30 structure by a vendor of food or merchandise, including live
1-31 animals; and

1-32 (3) the solicitation of money.

1-33 (b) The commissioners court of a county with a population of
1-34 more than 700,000 and less than 800,000 that borders the United
1-35 Mexican States by order may regulate the activities described by
1-36 Subsection (a) in the manner described by that subsection, except
1-37 that:

1-38 (1) the regulation of activities on or in the
1-39 right-of-way of a public highway or road is limited to public
1-40 highways and roads with a speed limit of 40 miles per hour or
1-41 faster; and

1-42 (2) the county may not prohibit the sale of livestock.

1-43 (c) A county regulating vendors under Subsection (b) may
1-44 require that a vendor be located not closer to the edge of the
1-45 public highway or road than a distance that is equal to one-half the
1-46 width of the right-of-way adjacent to the highway or road.

1-47 SECTION 2. This Act takes effect immediately if it receives
1-48 a vote of two-thirds of all the members elected to each house, as
1-49 provided by Section 39, Article III, Texas Constitution. If this
1-50 Act does not receive the vote necessary for immediate effect, this
1-51 Act takes effect September 1, 2013.

1-52 * * * * *